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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,472	01/06/2004	Ki-Bong Sung	P69408US0	2341
43569	7590	11/02/2006	EXAMINER	
MAYER, BROWN, ROWE & MAW LLP 1909 K STREET, N.W. WASHINGTON, DC 20006			YUN, JURIE	
			ART UNIT	PAPER NUMBER
			2882	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/751,472

Applicant(s)

SUNG ET AL.

Examiner

Jurie Yun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/28/06 has been entered. The amendment and drawing have been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3-12 are rejected under 35 U.S.C. 112, second paragraph.

5. Claim 3 recites the limitations:

"the LED displays" in line 11,

"the memory numbers of the preset memory" in lines 11-12, and

"the LEDs displaying the kV value and mAs value" in line 14.

There is insufficient antecedent basis for this limitation in the claim.

6. Claim 4 recites the limitations:

"the memory numbers of the preset memory" in lines 12-13,

"the LED's" in lines 13-14,

"the LEDs displaying the kV value and mAs value" in line 15, and

"the LED display" in lines 30-31.

There is insufficient antecedent basis for this limitation in the claim.

7. Claim 7 recites the limitations:

"the standby button of the two-step switch" in line 4, and

"the collimator" in line 7.

There is insufficient antecedent basis for this limitation in the claim.

8. Claim 9 recites the limitation "the filament" in line 5. There is insufficient antecedent basis for this limitation in the claim.

9. Claims 5, 6, 8, and 10-12 are rejected due to their dependency on the above rejected claims.

10. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. It is not understood what is meant by "the collimator is turned on" and "an X-ray unit execution is performed". Specifically, it is not understood by one of ordinary skill in the art how to turn "on" and "off" a collimator, and the specification and drawings do not disclose this feature. For "an X-ray unit execution is performed," it is assumed to mean that the X-ray unit is irradiating X-rays.

11. Claims 3-12 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. It is not understood what is meant by "the *memory numbers* of the preset memory." This is not

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a term of art, and the specification and drawings do not disclose what this is. It is assumed that these memory numbers are reference numbers such as, for example, memory number 1 having a specific preset kV value and mAs value, memory number 2 having another specific preset kV value and mAs value, memory number 3, having another specific preset kV value and mAs value, etc. And, it is assumed that these values can be modified and then stored for each memory number, but it is uncertain if this is in fact the case or not.

12. Claims 3-12 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. It is not understood if the LED which displays the memory number is the same LED used to display the kV value and the mAs value. This is not described or shown in the drawings. Also, where is the LED display physically located - on the portable unit or on the handswitch? Claim 3, lines 20-22, recites, in part, "a step in which the standby button is clicked for a short period of time one time at the time when the LED of a desired memory number is turned on..." This appears to imply that each memory number has it's own LED. It is uncertain if this is the case or not, based on the disclosure and drawings. It is also uncertain the format of display. For example, does the memory number appear in one LED display and the corresponding kV value appear in a different display, and the mAs value appear in a yet different display? And, are these all "scrolling" through the memory numbers and associated preset values? Or, perhaps the memory number appears first, followed by the kV value and then the mAs

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value, and then the next memory number appears and does the same, all within the same LED display box?

Drawings

13. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the:

“remote controller” of claim 2, “LED displays” displaying the memory number, “LEDs” displaying the kV value and mAs value, “collimator”, “lamp timer”, “laser pointer”, and “the filament”

must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

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examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasagawa (USPN 6,704,506 B2).

16. With respect to claims 1 and 2, Sasagawa discloses a remote control handswitch (10) for a portable unit, comprising: a two-step switch (20) formed of a standby button and an execution button (column 5, lines 52-60); a handswitch housing (11) having the two-step switch on an upper side of the same, a multi-function operation being performed based on a click operation of the two-step switch (column 5, lines 52-60), wherein the remote control handswitch further includes a remote controller (Fig. 4, 85). It is noted that "for a portable x-ray unit" is an intended use limitation, and there is no structure positively recited for an X-ray unit.

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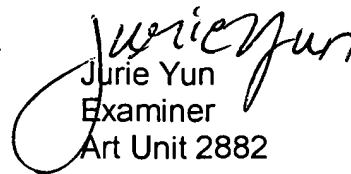
Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jurie Yun whose telephone number is 571 272-2497.

The examiner can normally be reached on Monday-Friday 8:30-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on 571 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jurie Yun
Examiner
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October 27, 2006